

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

EDDIE JAMES HORNE,
Plaintiff,

v.

UNITED STATES OF AMERICA,
et al.,
Defendants.

Case No. 1:21-cv-1303-CLM-JHE

MEMORANDUM OPINION

Plaintiff Eddie James Horne filed a pro se amended complaint under the Federal Tort Claims Act (“FTCA”) and *Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971), alleging violations of his rights under Alabama law and the United States Constitution. (Doc. 18). The magistrate judge has entered a report recommending the court dismiss this case under 28 U.S.C. § 1915A(b)(1) for failing to state a claim upon which relief can be granted. (Doc. 23 at 5–10, 11). The magistrate judge also recommends that the court deny Horne’s motion for default judgment. (*Id.* at 10–11). The magistrate judge advised Horne that he had 14 days to file written objections.

On February 21, 2023, Horne moved for a 21-day extension of time to file objections. (Doc. 24). That same day, the magistrate judge granted Horne’s motion and ordered him to file objections by March 14, 2023. (Doc. 25). To date, the court has not received any objections from Horne.

After considering the record and the magistrate judge’s report, the court **ADOPTS** the report and **ACCEPTS** the recommendation. Consistent with that recommendation and 28 U.S.C. § 1915A(b)(1), the court will dismiss this case without prejudice for failing to state a claim upon which relief can be granted. The court will also deny Horne’s motion for default judgment.

The court will enter a separate final judgment that closes this case.

Done on April 7, 2023.

A handwritten signature in cursive script, reading "Corey L. Maze", is written over a horizontal line.

COREY L. MAZE
UNITED STATES DISTRICT JUDGE